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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/714,668	11/18/2003	Jung Mee Park	7981.006.00-US	9200
7590 04/22/2005			EXAMINER	
Song K. Jung MCKENNA LONG & ALDRIDGE LLP 1900 K Street, N.W. Washington, DC 20006			ZEC, FILIP	
			ART UNIT	PAPER NUMBER
			3744	

DATE MAILED: 04/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	<b>Application No.</b> 10/714,668	<b>Applicant(s)</b> PARK ET AL.	
	<b>Examiner</b> Filip Zec	<b>Art Unit</b> 3744	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 November 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4-15 is/are allowed.
- 6) ☒ Claim(s) 1,2 and 16 is/are rejected.
- 7) ☒ Claim(s) 1 and 3 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 1, line 9 is objected to because of the following informalities: "he" should be changed to - - the - -. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over US PGP Publication 2003/0209024 A1 to Lee, in view of U.S. Patent 5,467,610 to Bolton et al. Lee discloses applicant's basic inventive concept, a unit type air conditioner (FIG. 7), comprising a bottom base plate (120), a barrier (180) projected upward from the center of the base plate, dividing the unit into indoor (140) and outdoor (200) heat exchanger parts [0058], a shroud (190) for leading air drawn from outside and dividing the inside of the outdoor part, an upper cover (193) and a brace (195) fastened to the barrier, the shroud and the upper cover to prevent relative positional change inside of the unit, substantially as claimed with the exception of having an exterior member comprising of the surrounding cabinet and the upper cover and specifying that the barrier is formed as one unit with the base plate made of plastic. Bolton shows an exterior member (see FIG. 4) comprising of the surrounding cabinet (40) and the upper cover (36) and a

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barrier (44), formed as one unit with the base plate (42) made of plastic (col 5, lines 9-11), to be old in the air conditioning art. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made from the teaching of Bolton to modify the system of Lee, by using an exterior member comprising of the surrounding cabinet and the upper cover in order to minimize the vertical dimension and provide more light transmission (col 1, lines 52-60) and specifying that the barrier is formed as one unit with the base plate made of plastic in order to minimize the number of components and prevent additional vibration which causes noise pollution (col 2, lines 7-10).

#### ***Allowable Subject Matter***

3. Claim 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. Claims 4-15 are allowed.

#### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 5,943,873 to Chung Sang-Hyeon teaches a room air conditioner box having isolation wall sections.

U.S. Patent 3,729,952 to Macleod David E. teaches a self-contained air conditioning unit.

U.S. Patent 5,638,693 to Baek, Sang Kyun teaches a room air conditioner.

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U.S. Patent 6,460,363 to Moretti, Stephen L. et al. teaches a split housing for outdoor heat exchanger.

U.S. Patent 6,182,460 to Hernandez, Nestor et al. teaches a window room air conditioner.

U.S. Patent 6,568,201 to Cur, Nihat et al. teaches a hybrid window/split air treatment appliance.

U.S. Patent 5,381,672 to Haasis, Hans teaches a cabinet refrigeration system with cold air distributor.

U.S. Patent 6,412,298 to Kang, Dong Joon et al. teaches a window type air conditioner.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Filip Zec whose telephone number is (571) 272-4815. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Denise Esquivel can be reached on (571) 272-4808. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Filip Zec  
Examiner  
Art Unit 3744

  
**CHERYL TYLER**  
**SUPERVISORY PATENT EXAMINER**

FZ